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10 IN THE UNITED STATES DISTRICT COURT  
11 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
12 SAN FRANCISCO DIVISION

13 **MARK M. LOWE,**

Petitioner,

14  
15 **v.**

16 **JIMMY WALKER, Warden,**

17 Respondent.  
18

C 08-005 SI (pr)

**APPLICATION FOR EXTENSION  
OF TIME TO FILE RESPONSE**

19 Pursuant to Civil L.R. 6-3 and Habeas L.R. 2254-6, respondent hereby requests a 30-day  
20 extension of time from today's date until June 8, 2008, in which to file a response to the petition for  
21 writ of habeas corpus. Good cause for the extension is set forth in the accompanying declaration  
22 of counsel. We have not attempted to contact petitioner, who is an incarcerated state prisoner  
23 representing himself in this case.

24 WHEREFORE, respondent respectfully requests that this Court grant an extension of time  
25 to and including June 8, 2008, in which to file the answer or other responsive pleading.  
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27  
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1 Dated: May 9, 2008

2 Respectfully submitted,

3 EDMUND G. BROWN JR.  
Attorney General of the State of California

4 DANE R. GILLETTE  
Chief Assistant Attorney General

5 GERALD A. ENGLER  
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6 PEGGY S. RUFFRA  
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8  
9 /s/ Arthur P. Beever  
ARTHUR P. BEEVER  
10 Deputy Attorney General  
11 Attorneys for Respondent  
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**DECLARATION OF SERVICE BY U.S. MAIL**

Case Name: **Lowe v. Walker**

No.: **C 08-005 SI (pr)**

I declare:

I am employed in the Office of the Attorney General, which is the office of a member of the California State Bar, at which member's direction this service is made. I am 18 years of age or older and not a party to this matter; my business address is 455 Golden Gate Avenue, Suite 11000, San Francisco, CA 94102-7004.

On May 9, 2008, I served the attached

**APPLICATION FOR EXTENSION OF TIME TO FILE RESPONSE**

**DECLARATION OF COUNSEL IN SUPPORT OF APPLICATION FOR EXTENSION OF TIME TO FILE RESPONSE**

**ORDER GRANTING FIRST ENLARGEMENT OF TIME TO FILE RESPONSE**

by placing a true copy thereof enclosed in a sealed envelope with postage thereon fully prepaid, in the United States Mail at San Francisco, California, addressed as follows:

Mark McCain Lowe  
F-18836  
California State Prison - Folsom  
P.O. Box 290066  
Represa, CA 95671

I declare under penalty of perjury under the laws of the State of California the foregoing is true and correct and that this declaration was executed on May 9, 2008, at San Francisco, California.

\_\_\_\_\_  
M. Argarin  
Declarant

\_\_\_\_\_  
/s/ M. Argarin  
Signature